

**MINUTES OF THE DEEP CREEK
DISTRIBUTION SYSTEM ANNUAL MEETING**

February 14, 2007

Deep Creek/Mosby Water Users Office

Lapoint, Utah

The meeting was called to order at 2:00 pm with Raymond Murray conducting. He welcomed everyone to the meeting and then asked for a reading of last year's minutes. The meeting minutes were taken the previous year. A copy of them was not available and thus could not be read during the meeting.

River Commissioner Bryan Smith gave his report of the activities on the system for 2006. A hard copy of his report was submitted to the State Engineer's office. Bryan stated that the "year was looking good with an above average snow pack, but it sure turned out to be dry." Bryan mentioned, "that water turned out of Blanchett only reached duty (30 cfs.) for a few days towards the end of May. After that it was all down hill. People were wondering where all the water was. So was I." Bryan further stated that it was the first time that he had "shut Julius off in June to refill." Bryan reported that Blanchett was only flowing 16 to 18 cfs by the end of June. He said that maintenance on the canal was minor and there had only been a few issues with beaver dams.

Bryan Smith brought up a continuing distribution problem that he encounters when there is a shortage of water. The issue involves the distribution of water based on Temporary Court Order, Civil No. 3444, which was issued in 1956. A discussion regarding how this water should be distributed ensued. Bryan asked for guidance on what he should do and on which way he should deliver the water. A discussion commenced between the water users and the State Engineer's representatives. The State Engineer's Office held the position that, until further clarification is received from the court, the water should continue to be delivered as it has in the past, i.e. the source for the water delivered under the court order is Dry Fork. If water users think it should be done differently then they should take the issue to court.

A motion to accept the commissioner's report as read was made and seconded. The voting was unanimous in favor of the motion.

John Larsen read the financial report, budget expenditures and delinquent water assessments for 2006. The balance of the distribution funds at the beginning of the year was \$2,532.16, receipts were \$11,247.48 and expenditures were \$9,741.25, leaving a balance at the end of the year of \$4,038.39. Two accounts were delinquent at the time the report was prepared for a total of \$1,023.98. One of those accounts was paid prior to the meeting leave the delinquent account balance at \$249.96. River Commissioner Bryan Smith submitted his travel vouchers before the meeting.

Some discussion took place concerning who had the responsibility to repair the creek near diversions and headgates. Some of the distribution system funds were used for Bryan to do this work. It was noted that other distribution systems do not work this way. The State Engineer's Assessment would need to increase if this continued. It is not the commissioner's responsibility

to do these repairs. The owner of the head gate, ditch, canal, flume or other watercourse is responsible for the maintenance. Stream alteration applications may be necessary in some instances and can be filed with the State Engineer's Office.

A motion to accept the financial report was made and seconded. The voting was unanimous in favor of the motion.

Ray Murray discussed the budget and assessment for the upcoming year. A motion was made and seconded to raise Bryan Smith's salary by \$500. The voting was unanimous in favor of the motion. Lee Sim reminded everyone to submit invoices to the Division of Water Rights by December 10th or 15th. It was proposed to raise the travel expense to \$5,000 to cover the travel voucher that Bryan had submitted for the 2006 budget year and the travel expenses for the 2007 budget year. A motion was made and seconded to increase the travel expense for one year only. The voting was unanimous in favor of the motion. A motion was made and seconded to set the contract service line item at \$1,000. The voting was unanimous in favor of the motion. A motion was made to set the miscellaneous expenses at \$1,000. The voting was unanimous in favor of the motion. Lee Sim mentioned that the State Engineer's assessment this year would be \$684.00. A motion was made and seconded to set the proposed budget and assessment at \$12,673.00. The voting was unanimous in favor of the motion.

The meeting was opened for business items. Bob Leake and Lee Sim reminded the water users to make sure that their headgates and weirs did not leak; otherwise, they would not receive any water during the year. The design of any headgates and measuring devices should be approved by the State Engineer's Office. Lee Sim discussed the new State of Utah proposed Administrative Rules for water commissioners. Copies of the proposed rules were distributed to the people who attended the meeting. Bryan Smith was reminded that he should use the measurement device north of the graveyard.

A discussion concerning the East Deep Creek water users was held. Several water users asked how these users could be included on the system. It was decided that a written petition would be made to the State Engineer requesting their addition to the system. The users would try to get all of the current distribution system users to sign the letter. It was suggested that Mosby and Deep Creek write the letter together. A motion to write the letter to the State Engineer was made and seconded. The voting was unanimous in favor of the motion.

The last item of business was the appointment of directors for the upcoming year. A motion was made and seconded to retain the directors as constituted and to vote them in by acclamation. The voting was unanimous in favor of the motion.

With no further discussion, a motion to adjourn the meeting was made and seconded. The voting was unanimous in favor of the motion. The meeting adjourned at 3:37 pm.

Those attending the meeting were as follows:

Name	Representing
, Raymond Murray	Self/Water User

Charman Justice
 • John Justice
 • Marvin Huber
 • John Allred
 • Steven Huber
 Bryan Smith
 Jim Wells
 Chad Wilkerson
 • Kay Parrish
 Andrew W. Dutson
 Bob Leake
 John S. Larsen
 Lee Sim
 James L. Esplin

Larry Simmons
 Martin Huber
 Rick
 Kyle Young

9/10/03

Self/Water User
 Chairman / Self/Water User
 Self/Water User
 Self/Water User
 Self/Water User
 Water Commissioner
 Division of Water Rights - Salt Lake Office
 Self/Water User
 Self/Water User
 Division of Water Rights - Vernal Office
 Division of Water Rights - Vernal Office
 Division of Water Rights - Salt Lake Office
 Division of Water Rights - Salt Lake Office
 Self/Water User